

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, JUNE 7, 2005
PAGE 1 OF 41

Revised

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE-CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
MEMBERS: JOA PENZIEN
CHARLES OLIVER
ARNOLD THOEL
DEBORAH ZOLNOSKI (arrived at 7:09 p.m.)

ABSENT: NONE

ALSO PRESENT: Jerome R. Schmeiser, Community Planning Consultant
Lawrence Dloski, Township Attorney
James Van Tiflin, Township Engineer of Spalding DeDecker &
Associates. (Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

1. Roll Call.

Clerk KOEHS called the roll call. Deborah Zolnoski arrived at 7:09 p.m. All other members present.

2. Approval of Agenda Items. (With any corrections)

MOTION by AUSILIO seconded by PENZIEN to approve amended agenda and relocate agenda item number 17 as 19a. as requested by Lombardo Companies.

MOTION carried.

3. Approval of the May 17, 2005 previous Meeting Minutes

MOTION by OLIVER seconded by KOEHS to approve the May 17, 2005 previous Meeting Minutes.

MOTION carried.

Member THOEL abstained from the motion. Mr. Thoel was not present for this meeting.

4. CONSENT AGENDA ITEM:

- a. **Extension of Time; Temporary Ground Sign; Sycamore Estates Subdivision;** Located on the Southeast corner of Card Road and 22 Mile Road; Pulte Land Development, Petitioner. Permanent Parcel No. 08-26-100-001.
- b. **Extension of Time; Temporary Ground Sign; Strathmore Condominiums;** Located on the south side of 26 Mile Road, approximately 1/4 mile east of Luchtman Road; Pulte Land Company, LLC, Petitioner. Permanent Parcel No. 08-04-100-029.
- c. **Extension of Time; Temporary Ground Sign; Strathmore Subdivision;** Located on the east side of Luchtman Road, 1,079 feet South of 26 Mile Road; Pulte Land Development, Petitioner. Permanent Parcel No. 08-04-100-031.
- d. **Extension of Time; Temporary Ground Sign; Winding Creek Subdivision;** Located south of 26 Mile Road and 1/4 mile west of Luchtman Road; Pulte Land Development, Petitioner. Permanent Parcel No. 08-05-200-002.
- e. **Extension of Time; Tentative Preliminary Plat; Battaglia Subdivision;** Located on the east side of North Avenue approximately 1341.22 feet north of Hall Road; Lehner Associates, Inc., Petitioner. Permanent Parcel No. 08-36-303-024.

MOTION by KOEHS seconded by AUSILIO to approve the consent agenda items as submitted forwarding a recommendation to the Township Board of Trustees to approve the Extension of Time; Tentative Preliminary Plat; Battaglia Subdivision; Permanent Parcel No. 08-36-303-024.

MOTION carried.

AGENDA ITEMS:

5. **Tentative Preliminary Plat (Revised); Wolverine Country Club Subdivision;**
Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman
Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-
028.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the amended findings
and recommendations of June 6, 2005 for denial as follows:

FINDINGS:

The petitioner is requesting revised tentative preliminary plat approval for the above-
described property. The purpose of the amended findings and recommendation is to review
the plat as any other plat pursuant to the Township codes, ordinances and planning
documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but
postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains
homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains
residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates
120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.
The revised subdivision plat submitted by the petitioner indicates the following:

- a. The legal description of the Tentative Preliminary Plat is for a parcel of land encompassing 311 plus acres. The legal description must be revised to match the split/combo.
- b. A total of 451 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park. Three phases will be developed.
- c. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- d. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- e. All lots meet the Zoning Ordinance requirements.
- f. A “park” is situated between lots 166 and 167.
- g. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10’ from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
- h. The petitioner has not applied for received approval for the split/combination of the detention area.
- i. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- j. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
- k. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
- l. The lots 306 thru 309 are misnumbered. Two lot 309’s are shown. No lot 307 is indicated.
- m. The landscape plan indicates certain plant materials installed outside the landscape areas.

RECOMMENDATIONS:

It is recommended that the Planning Commission deny the revised Tentative Preliminary Plat for Wolverine Country Club Subdivision for the following reasons:

0. The legal description of the tentative preliminary plat must be revised to meet the split/combo.
0. The lots numbered 306 thru 309 must be re-numbered.
0. The plat does not identify all easements outside of the typical building setbacks.
0. The plat does not identify a temporary access drive to the detention basin.
0. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The “park” situated between lots 166 and 167 must be eliminated.
7. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10’ from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
8. The petitioner has not applied for or received approval for the split/combination of the detention area.
9. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
10. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
11. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
12. The landscape plan indicates certain plant materials installed outside the landscape areas.

Petitioner Present: Roy Rose of Anderson Eckstein & Westrick, Inc.

Mr. Rose held further discussion reviewing the proposal with the members of the Commission and Township Planning Consultant.

Public Portion: Township resident held further discussion with the members of the Commission regarding the development process, public notification and the procedures in order to retrieve further review of the materials discussed at this meeting.

MOTION by OLIVER seconded by THOEL to forward the recommendation to the Township Board of Trustees to deny the Tentative Preliminary Plat (Revised); Wolverine Country Club Subdivision; Permanent Parcel No. 08-05-400-028. This motion is based on the Planning Consultant's recommendations as follows:

It is recommended that the Planning Commission deny the revised Tentative Preliminary Plat for Wolverine Country Club Subdivision for the following reasons:

0. The legal description of the tentative preliminary plat must be revised to match the split/combination request.
0. The lots numbered 306 thru 309 must be re-numbered.
0. The plat does not identify all easements outside of the typical building setbacks.
0. The plat does not identify a temporary access drive to the detention basin.
0. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The "park" situated between lots 166 and 167 must be eliminated.
7. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
8. The petitioner has not applied for or received approval for the split/combination of the detention area.

9. **The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.**
10. **Pillar(s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.**
11. **The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.**
12. **The landscape plan indicates certain plant materials installed outside the landscape areas.**

MOTION carried.

6. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase I;**
 Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the amended findings and recommendations of June 6, 2005 for denial as follows:

FINDINGS:

The petitioner is requesting final preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.

The subdivision plat submitted by the petitioner indicates the following:

- a. A total of 191 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park.
- b. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- c. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- d. All lots meet the Zoning Ordinance requirements.
- e. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile and Luchtman. The plan shows no dimensions for the setbacks of the signs. Revised landscape plans must be submitted with the proper dimensions for the signs.
- f. A "park" is situated between lots 166 and 167.
- g. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
- h. The petitioner has not applied for or received approval for the split/combination of the detention area.

- i. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- . Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
- . The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
- . The landscape plan indicates certain plant materials installed outside the landscape areas.
- . The Township consulting engineer is reviewing a revised master grading plan for the plat.

RECOMMENDATIONS:

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase I be denied for the following reasons;

1. A Special Assessment District has not been established for the detention basin maintenance.
2. The subdivision restrictive covenants have not been amended to reference the SAD.
3. The plat does not identify all easements outside of the typical building setbacks.
4. The plat does not identify a temporary access drive to the detention basin.
5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The “park” is situated between lots 166 and 167 must be eliminated.
7. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10’ from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.

8. The petitioner has not applied for or received approval for the split/combination of the detention area.
9. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
10. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
11. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
12. The landscape plan indicates certain plant materials installed outside the landscape areas.
13. The revised Master Grading Plan has not been approved by the Township consulting engineer.

Petitioner Present: Roy Rose of Anderson Eckstein & Westrick, Inc.

Public Portion: None

MOTION by THOEL seconded by ZOLNOSKI to forward the recommendation to the Township Board of Trustees to deny the Final Preliminary Plat; Wolverine Country Club Subdivision Phase I; Permanent Parcel No. 08-05-400-028. This motion is based on the Planning Consultants recommendations as follows:

1. **A Special Assessment District has not been established for the detention basin maintenance.**
2. **The subdivision restrictive covenants have not been amended to reference the SAD.**
3. **The plat does not identify all easements outside of the typical building setbacks.**
4. **The plat does not identify a temporary access drive to the detention basin.**
5. **The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.**

6. The “park” situated between lots 166 and 167 must be eliminated.
7. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10’ from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
8. The petitioner has not applied for or received approval for the split/combination of the detention area.
9. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
10. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
11. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
12. The landscape plan indicates certain plant materials installed outside the landscape areas.
13. The revised Master Grading Plan has not been approved by the Township consulting engineer.

MOTION carried.

7. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase II;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the amended findings and recommendations of June 6, 2005 for denial as follows:

FINDINGS:

The petitioner is requesting final preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.

The subdivision plat submitted by the petitioner indicates the following:

- a. A total of 244 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park.
- b. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- c. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- d. All lots meet the Zoning Ordinance requirements.
- e. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile. The plan shows no dimensions for the setbacks of the signs. Revised landscape plans must be submitted with the proper dimensions for the signs.

- f. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile. Revised landscape plans must be submitted with the proper dimensions for the signs.
- g. The petitioner has not applied for or received approval for the split/combination of the detention area.
- h. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- i. Pillar(s) are located in the boulevard entrance along 25 Mile Road.
- j. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
- k. The landscape plan indicates certain plant materials installed outside the landscape areas.
- l. The Township consulting engineer is reviewing a revised master grading plan for the plat.

RECOMMENDATIONS:

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase II be denied for the following reasons;

- 1. A Special Assessment District has not been established for the detention basin maintenance.
- 2. The subdivision restrictive covenants have not been amended to reference the SAD.
- 3. The plat does not identify all easements outside of the typical building setbacks.
- 4. The plat does not identify a temporary access drive to the detention basin.
- 5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.

6. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
7. The petitioner has not applied for or received approval for the split/combination of the detention area.
8. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
9. Pillar (s) are located in the boulevard entrance along 25 Mile Road.
10. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
11. The landscape plan indicates certain plant materials installed outside the landscape areas.
12. The revised Master Grading Plan has not been approved by the Township consulting engineer.

Petitioner Present: Roy Rose of Anderson Eckstein & Westrick, Inc.

Public Portion: None

MOTION by ZOLNOSKI seconded by THOEL to forward the recommendation to the Township Board of Trustees to deny the Final Preliminary Plat; Wolverine Country Club Subdivision Phase II; Permanent Parcel No. 08-05-400-028. This motion is based on the Planning Consultants recommendations as follows:

- 1. A Special Assessment District has not been established for the detention basin maintenance.**
- 2. The subdivision restrictive covenants have not been amended to reference the SAD.**
- 3. The plat does not identify all easements outside of the typical building setbacks.**
- 4. The plat does not identify a temporary access drive to the detention basin.**

5. **The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.**
0. **The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.**
0. **The petitioner has not applied for or received approval for the split/combination of the detention area.**
0. **The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.**
0. **Pillar(s) are located in the boulevard entrance along 25 Mile Road.**
0. **The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.**
0. **The landscape plan indicates certain plant materials installed outside the landscape areas.**
0. **The revised Master Grading Plan has not been approved by the Township consulting engineer.**

MOTION carried.

8. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase III;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the amended findings and recommendations of June 6, 2005 for denial as follows:

FINDINGS:

The petitioner is requesting final preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.

The subdivision plat submitted by the petitioner indicates the following:

- a. A total of 16 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park.
- b. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- c. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- d. All lots meet the Zoning Ordinance requirements.
- e. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile and 15

- ft. from the local street. The plan shows no dimensions for the setbacks of the signs. Revised landscape plans must be submitted with the proper dimensions for the signs.
- f. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
 - g. The petitioner has not applied for or received approval for the split/combination of the detention area.
 - h. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
 - i. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
 - j. The landscape plan indicates certain plant materials installed outside the landscape areas.
 - k. The Township consulting engineer is reviewing a revised master grading plan for the plat.

RECOMMENDATIONS:

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase III be denied for the following reasons;

- 1. A Special Assessment District has not been established for the detention basin maintenance.
- 2. The subdivision restrictive covenants have not been amended to reference the SAD.
- 3. The plat does not identify all easements outside of the typical building setbacks.
- 4. The plat does not identify a temporary access drive to the detention basin.
- 5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.

6. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
0. The petitioner has not applied for or received approval for the split/combination of the detention area.
0. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
0. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
0. The landscape plan indicates certain plant materials installed outside the landscape areas.
0. The revised Master Grading Plan has not been approved by the Township consulting engineer.
0. Location of the permanent access drive for the pond is not shown.

Petitioner Present: Roy Rose of Anderson Eckstein & Westrick, Inc.

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to deny the Final Preliminary Plat; Wolverine Country Club Subdivision Phase III; Permanent Parcel No. 08-05-400-028. This motion is based on the Planning Consultants recommendations as follows:

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase III be denied for the following reasons;

1. A Special Assessment District has not been established for the detention basin maintenance.
2. The subdivision restrictive covenants have not been amended to reference the SAD.
3. The plat does not identify all easements outside of the typical building setbacks.

4. The plat does not identify a temporary access drive to the detention basin.
5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
7. The petitioner has not applied for or received approval for the split/combination of the detention area.
8. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
9. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
10. The landscape plan indicates certain plant materials installed outside the landscape areas.
11. The revised Master Grading Plan has not been approved by the Township consulting engineer.
12. Location of the permanent access drive for the pond is not shown.

MOTION carried.

9. **Rezoning; Residential One Family Suburban (R-1-S) & Agricultural (AG) to Residential Multiple-Low Density (R-2-L);** Located on the southwest corner of 22 Mile Road and North Avenue; Schwark Investment Group, LLC, Petitioner. Permanent Parcel No. 08-26-200-011

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Lawrence Scott

Public Portion: A Township resident addressed his concerns regarding the proposal.

MOTION by KOEHS seconded by AUSILIO to forward the recommendation to the Township Board of Trustees to deny the Rezoning; Residential One Family Suburban (R-1-S) & Agricultural (AG) to Residential Multiple-Low Density (R-2-L); Permanent Parcel No. 08-26-200-011. This motion is based on the Planning Consultants recommendations as follows:

It is recommended that the rezoning of the property be denied since the proposed rezoning is inconsistent with the goals of the Master Plan.

MOTION carried.

10. **Rezoning; Residential One Family Suburban (R-1-S) and Agricultural (AG) to Commercial General (C-2) and Residential Multiple-Low Density (R-2-L);** Located on the northwest corner of 22 Mile Road and North Avenue; Sycamore Hollow, LLC, Petitioner. Permanent Parcel No. 08-23-451-002

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Lawrence Scott

Public Portion: A Township resident addressed their concerns in opposition to this rezoning proposal.

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to deny the Rezoning; Residential One Family Suburban (R-1-S) and Agricultural (AG) to Commercial General (C-2) and Residential Multiple-Low Density (R-2-L) specifically finding that the rezoning is inconsistent with the goals of the Master Plan. Permanent Parcel No. 08-23-451-002. This motion is pursuant to the Planning Consultants recommendations as follows:

It is recommended that the rezoning of the property be denied since the proposed rezoning is inconsistent with the goals of the Master Plan.

MOTION carried.

11. **Rezoning; Residential One Family Urban (R-1) and Residential One Family Suburban (R-1-S) to Community Facilities (CF);** Located on the east side of Romeo Plank Road 1,010 feet south of 21 Mile Road; Sarah E. Lee-Ellena, Petitioner. Permanent Parcel No. 08-33-102-003

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Lawrence Scott

Public Portion: A Township resident discussed with the commission the restrictions of the Community Facility zone.

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Residential One Family Urban (R-1) and Residential One Family Suburban (R-1-S) to Community Facilities (CF); subject to the preparation and execution of a contract rezoning agreement also specifying that the building on the parcel be removed within one (1) year of approval. Permanent Parcel No. 08-33-102-003.

MOTION carried.

12. **Rezoning; Residential One Family Urban (R-1) to Commercial General (C-2);** Located on the southeast corner of 24 Mile and Garfield Roads; Michael Magnoli, Petitioner. Permanent Parcel No. 08-17-100-019

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Michael Magnoli

Public Portion: Several Township residents addressed their concerns regarding the future development of commercial and office areas. The residents requested that if the proposal is recommended for approval that the approval require the petitioner to develop commercial areas fronting on the major road rather than facing residential areas.

The Commission and Township Planning Consultant held further discussion with Mr. Magnoli regarding the proposal. After further discussion Mr. Magnoli requested that the matter be tabled to the Planning Commission Meeting of July 5, 2005.

MOTION by KOEHS seconded by AUSILIO to table the matter of the Rezoning Request; Residential One Family Urban (R-1) to Commercial General (C-2); to the Planning Commission Meeting of July 5, 2005 for further review and discussion. Permanent Parcel No. 08-17-100-019

MOTION carried.

13. **Tentative Preliminary Plat; Milano Industrial Subdivision # 3;** Located 1953 feet north of 23 Mile Road and approximately ½ mile east of Hayes Road; Leone Construction Company & Centro Milano Industrial Inc, Petitioner. Permanent Parcel No. 08-18-400-014

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Philip Leone

Public Portion: Township residents expressed their concern regarding the development of the wall and greenbelt locations.

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Milano Industrial Subdivision # 3. Permanent Parcel No. 08-18-400-014. This motion is based on and pursuant to the Planning Consultants recommendations as follows:

It is recommended that the tentative preliminary plat for the Milano Industrial Subdivision #3 be approved with the standard conditions of the Township including:

1. **The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:**
 - a. **Macomb County Road Commission**
 - b. **Office of Public Works Commission of Macomb County**
 - c. **Macomb County Health Department**
 - d. **Macomb County Planning Commission**
 - e. **Michigan Department of Environmental Quality**
 - f. **All public utility companies affected.**
 - g. **That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.**
2. **The Township Engineer approves all engineering plans for the computed plat.**
2. **That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**

4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval shall be incorporated into the Final Preliminary Plat.
5. That all public street drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinances.
7. Flood Plain Map Amendments and or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
1. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
2. That the "20 ft. common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Ordinance of Macomb Township. A plan for the area must be prepared by a registered landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
3. That a bond in an amount determined by the Township Consulting Engineer be posted assuring the development of the 'Landscape Easement.' The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.
11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.

1. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits two (2) copies of the plat to the Supervisors office for addressing. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.
11. That the petitioner submits two (2) copies of the restrictive covenants that will be recorded with the plat. Said covenants must include an article to provide the perpetual maintenance of all limited common that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.
11. If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.
15. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

MOTION carried.

14. **Tentative Preliminary Plat; West Park Estates;** Located on the north side of 25 Mile Road and approximately 974.80 feet east of Luchtman Road; Montana Homes, Inc., Petitioner. Permanent Parcel No. 08-04-300-005

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Jeff Allegoet

Public Portion: Township residents addressed their concerns regarding the location of the construction access. The petitioner indicated that the located of the construction access is planned from 25 Mile Road.

MOTION by KOEHS seconded by ZOLNOSKI to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; West Park Estates; Permanent Parcel No. 08-04-300-005. This motion is based on and pursuant to the Planning Consultants recommendations as follows:

1. **The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;**
 - a. **Macomb County Road Commission**
 - b. **Office of Public Works Commission of Macomb County**
 - c. **Macomb County Health Department**
 - d. **Macomb County Planning Commission**
 - e. **Michigan Department of Environmental Quality**
 - f. **All public utility companies affected.**
 - g. **That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.**
2. **The Township Engineer approves all engineering plans for the computed plat.**
3. **That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**

4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval shall be incorporated into the Final Preliminary Plat.
5. That all public street drain crossing within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.
6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.
7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the "20 ft. common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Ordinance of Macomb Township. A plan for the area must be prepared by a registered landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
10. That a bond in an amount determined by the estimates prepared by a registered landscape architect and approved by the Township Consulting Engineer be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.

11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.
12. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after the final preliminary plat approval by the Township Board.
13. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plat. The Restrictive Covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.
14. If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.
15. That the petitioner understands that if the property(ies) involved in this application are not yet split or combines into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearing involving variance requests.

The conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

MOTION carried.

15. **Special Land Use and Revised Site Plan; BP Gas Station;** Located on the northeast corner of Hall Road and Hayes Road; Arthur Saco, Petitioner. Permanent Parcel No. 08-31-300-031

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Bill Thompson and Arthur Saco

The petitioners discussed the item with the Members of the Commission and Community Planning Consultant. After further discussion Mr. Thompson requested that the matter be tabled.

Public Portion: None

MOTION by KOEHS seconded by AUSILIO to table indefinitely the Special Land Use and Revised Site Plan; BP Gas Station; at the petitioners request. Permanent Parcel No. 08-31-300-031.

MOTION carried.

16. **Ground Sign; Romeo Plank Crossing;** Located on the southeast corner of 23 Mile Road and Romeo Plank Road; Morelli Investments, LLC, Petitioner. Permanent Parcel No. 08-20-200-046

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: David Morelli

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to approve the Ground Sign; Romeo Plank Crossing; Permanent Parcel No. 08-20-200-046. This motion is based on the Planning Consultants recommendations as follows:

It is recommended that the ground sign be approved with the standard conditions of the Planning Commission, including:

1. **That Section 10.0319 of the Zoning Ordinance be met.**
2. **That the surface area of one side of the sign be limited to 32 square feet.**
3. **That a \$500.00 cash bond be posted assuring the installation of the sign as approved.**

MOTION carried.

17. **Technical Change; The Retreat Site Condominiums;** Located on the northeast corner of 22 Mile Road and North Avenue; Lombardo North Avenue Properties, Petitioner. Permanent Parcel No. 08-24-300-014

This agenda item was relocated as agenda item number 19a. at the petitioner's request.

18. **Site Plan; Heydenreich Retail Center Unit # 3 (Restaurant/Retail);** Located on the northeast corner of Hall Road and Heydenreich Road; Atlantis Development, Petitioner. Permanent Parcel No. 08-34-300-024.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for denial.

Petitioner Present: Joseph Novitsky and Robert Asmar

Public Portion: None

MOTION by KOEHS seconded by OLIVER to approve the Site Plan; Heydenreich Retail Center Unit # 3 (Restaurant/Retail); Conditioned upon the revised dumpster location be reviewed and approved by the Township Planning Consultant and Township Engineers. Permanent Parcel No. 08-34-300-024. This motion is based on the Planning Consultants recommendations as follows:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.**
3. **The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.**

4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.

12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.

21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
23. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

24. That the dumpster enclosure be relocated to the satisfaction of the Township Engineer and Planning Consultants.

MOTION carried.

19. **Temporary Ground Sign; Northwood Farms Subdivision;** Located on the southwest corner of 24 Mile and Card Roads; Lorenzo Garrisi, Petitioner. Permanent Parcel No. 08-15-200-014.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Steve Garrisi

Public Portion: None

MOTION by ZOLNOSKI seconded by KOEHS to approve, for one year, the Temporary Ground Sign; Northwood Farms Subdivision. Permanent Parcel No. 08-15-200-014. This motion is based on the Planning Consultants recommendations as follows:

It is recommended that the ground sign be approved as requested with the standard conditions:

1. **That Section 10.0319 of the Zoning Ordinance be met.**
1. **That a \$500.00 cash bond be posted assuring the construction of the sign as approved.**

MOTION carried.

Previously shown as agenda item number 17.

19a. **Technical Change; The Retreat Site Condominiums;** Located on the northeast corner of 22 Mile Road and North Avenue; Lombardo North Avenue Properties, Petitioner. Permanent Parcel No. 08-24-300-014

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Greg Windingland

Public Portion: None

MOTION by KOEHS seconded by THOEL to approve the Technical Change; The Retreat Site Condominiums; Lombardo North Avenue Properties, Petitioner. Permanent Parcel No. 08-24-300-014. This motion is based on the Planning Consultants recommendations as follows:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or

- properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
 4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
 5. Sidewalks to be provided to the satisfaction of the Township Engineer.
 6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
 8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. **The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. **The request for release must be in writing and accompanied by 2 copies of the "As Built Plans".** The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
 10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).

11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.

21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
23. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

24. The petitioner should be apprised of the fact that buildings built in an industrial zone may emit noises that may adversely impact surrounding residential properties. In the event this should take place on this property, steps would have to be taken by the petitioner to reduce the noise to an acceptable level.
24. The trash enclosure area must be designed with respect to drainage and access to the satisfaction of the Township Engineer.

MOTION carried.

PLANNING CONSULTANTS COMMENTS:

20. Discussion regarding proposed amendments to the Master Plan addressing the residential density of sections 2 and 3 of the Township.

Jerome R. Schmeiser, Community Planning Consultant, distributed the background information for the Planning Commission to utilize in connection with the consideration of an amendment to the Macomb Township Master Plan.

Mr. Schmeiser continued to explain the process necessary to follow keeping with the laws of the State of Michigan as they relate to the Macomb Township Master Plan. A draft was also presented of the plan outline for the amendment to be considered

The Macomb Township Board of Trustees has directed the Planning Commission to consider increasing the density of sections two (2) and three (3) of the Township by increasing the number of units from one (1) to two (2) per acre.

A second session is scheduled June 21, 2005 at which time it is anticipated that a recommendation by the Planning Commission will be formulated and forwarded to the Township Board of Trustees for consideration.

21. **Re-Review of Revised Site Plan; Hall Road Office Buildings (Dr. Craig);**
Located on the north side of Hall Road approximately ¼ mile west of Romeo Plank Road; Dr. Russell Craig, Petitioner. Permanent Parcel No. 08-32-400-013.

Informational Only

22. **Review of Revised Site Plan (Technical Change); McDonald's Restaurant;**
Located on the north side of Hall Road approximately 1300 feet west of Romeo Plank Road; McDonald's Corporation, Petitioner. Permanent Parcel No. 08-32-400-015.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Petitioner Present: Philip Leone, Nathan Robinson and Gerald Carnago

MOTION by KOEHS seconded by THOEL to approve the Revised Site Plan as a Technical Change; McDonald's Restaurant; Permanent Parcel No. 08-32-400-015. This motion is based on the Planning Consultants recommendations as follows:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in**

connection with this site plan are true and accurate as they provide the basis for this recommendation.

3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. The "hung" type wall, that is with panels hung or channeled pillars, shall not be allowed. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount of \$5,000.00 be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. (Bond posted September 17, 1996).
9. That the petitioner provide handicap parking in accordance with the State requirements of the State and the requirements of the ADA (American Disabilities Act).
10. That all signs be designated on the site plan and meet the Township requirements.

11. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
12. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
13. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
14. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
15. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office.
16. That all splits of property as prepared be approved by the Tax Assessor's Office.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this site plan, be reconsidered by the Assessor and Planning Commission.
18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. The sidewalk be constructed along Plum Grove Drive after the road is constructed.

22. That the existing hung wall be repaired and corrected to prevent the lifting of sections.
23. That the projection of the wall signs not exceed 12 inches and the pylon sign be limited to 15 feet in height and 64 square feet in area.
23. **Re-Review of Revised Site Plan / Special Land Use Permit, Regarding Site Lighting; Little Caesars at Mobil Mart;** Located on the southeast corner of 21 Mile and North Avenue; Eddie Jawad, Petitioner. Permanent Parcel No. 08-36-101-009.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request.

MOTION by KOEHS seconded by PENZIEN to approve the Revised Site Plan / Special Land Use Permit regarding Site Lighting; Little Caesars at Mobil Mart; Permanent Parcel No. 08-36-101-009, rescinding the condition of the Special Land Use permit that requires flat lenses, and requiring instead that deflectors be installed in the canopy lighting to eliminate the horizontal light from the fixture to escape to the property lines.

MOTION carried.

PLANNING COMMISSION COMMENTS:

24. Motion to receive and file all correspondence in connection with this agenda.

MOTION by KOEHS seconded by AUSILIO to receive and file all correspondence in connection with this agenda.

MOTION carried.

ADJOURNMENT:

MOTION by ZOLNOSKI seconded by OLIVER to adjourn the meeting at 10:05 p.m.

MOTION carried.

Respectfully submitted,

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, JUNE 7, 2005
PAGE 41 OF 41

Revised

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb